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10/562,727

12/30/2005

Hiroataka Nishizawa

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MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

TAYLOR, APRIL ALICIA

ART UNIT

PAPER NUMBER

2887

NOTIFICATION DATE

DELIVERY MODE

02/09/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/562,727 | Applicant(s) NISHIZAWA ET AL. | |
| | Examiner APRIL A. TAYLOR | Art Unit 2887 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44, 46 and 49-78 is/are pending in the application.
- 4a) Of the above claim(s) 49-78 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/15/08; 3/23/07; 12/30/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group I (claims 1-44 and 46) in the reply filed on October 24, 2009 is acknowledged.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

Claims 1-44 and 46 are objected to because of the following informalities:

Re claim 1, line 7: Substitute "another" with -- a second --.

Re claim 2, line 7: Substitute "an external connection terminal" with -- the external connection terminal --.

Re claim 3, line 4: Substitute "a dedicated terminal" with -- the dedicated terminal --.

Re claim 4, line 4: Insert the term -- connection -- after the term "external".

Re claim 5, line 4: Substitute "further and" with -- wherein --, in order to clarify the claim.

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Re claim 5, line 5: Insert -- internal -- before the term "antenna", in order to clarify the claim.

Re claim 6, lines 3 and 4: Substitute "can connect" with -- connects --, in order to clarify the claim.

Re claim 7, line 6: Substitute "can be" with -- is --, in order to clarify the claim.

Re claim 7, line 8: Substitute "a threshold voltage" with -- the threshold voltage --.

Re claim 8, line: Substitute "a selection terminal" with -- the selection terminal --; "a ground voltage" with -- the ground voltage --; and "a circuit" with -- the circuit --.

Re claim 9, lines 4-5: Substitute "whose drain source was connected" with -- having a drain source connected --, in order to clarify the claim.

Re claim 9, line 6: Substitute "a nonvolatile MOS transistor part" with -- the nonvolatile MOS transistor part --.

Re claim 9: Substitute "source drain" with -- drain source -- (see page 6, line 1).

Re claim 9: Insert -- the -- before "threshold voltage" (see page 6, line 2).

Re claim 9: Substitute "this" with -- the -- (see page 6, line 3).

Re claim 11, line 5: Substitute "can stop" with -- stops --, in order to clarify the claim.

Re claim 14, line 4: Substitute "a semiconductor chip" with -- the semiconductor chip --, in order to clarify the claim.

Re claim 14, line 5: Insert the term -- when -- before "connecting", in order to clarify the claim.

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Re claim 15, lines 4, 7, and 8: Substitute “a semiconductor chip” with – the semiconductor chip --, in order to clarify the claim.

Re claim 15, line 5: Insert the term -- when -- before "connecting", in order to clarify the claim.

Re claim 17, line 4: Substitute “a semiconductor chip” with -- the semiconductor chip --, in order to clarify the claim.

Re claim 17, line 5: Insert the term -- when -- before "connecting", in order to clarify the claim.

Re claim 18, line 3: Substitute “a semiconductor chip” with – the semiconductor chip --, in order to clarify the claim.

Re claim 18, line 3: Substitute “an antenna” with -- the antenna --, in order to clarify the claim.

Re claim 19, lines 3-4: Substitute “a wiring substrate” with -- the wiring substrate -
-.

Re claim 20, line 4: Substitute “a semiconductor chip” with – the semiconductor chip.

Re claim 20, line 5: Insert the term -- when -- before "connecting", in order to clarify the claim.

Re claim 21, line 3: Substitute “a stack” with -- the stack --.

Re claim 21, line 4: Substitute “a ferrite plate” with -- the ferrite plate --.

Re claim 22, line 3: Substitute “whole” with -- hole --.

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Re claim 23, lines 4 and 9: Substitute “a semiconductor chip” with -- the semiconductor chip --.

Re claim 23, line 6: Substitute “whole” with -- hole --.

Re claim 23, line 11: Substitute “an antenna” with -- the antenna --.

Re claim 23, line 12: Substitute “was” with -- is --.

Re claim 26, line 2: Insert – and – after “tuning”.

Re claim 26, line 3: Substitute “an antenna” with -- the antenna --.

Re claim 28, line 3: Substitute “whole” with – hole --.

Re claim 33, line 3: Substitute “as for a” with -- the --.

Re claim 34, line 3: Substitute “whole” with – hole --.

Re claim 34, line 8: Substitute “terminals” with – terminal --.

Re claim 37, line 5: Substitute “an external connection terminal” with – the external connection terminal --.

Re claim 39, line 15: Insert – connection – after “external”.

Re claim 40, line 4: Substitute “further and” with -- wherein --, in order to clarify the claim.

Re claim 40, line 5: Insert -- internal -- before the term “antenna”, in order to clarify the claim.

Re claim 41, line 3: Substitute “can connect” with -- connects --.

Re claim 41, line 5: Substitute “an external antenna connection” with – the external antenna connection --.

Re claim 42, line 6: Substitute “can be” with -- is --.

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Re claim 42, lines 8 and 13: Substitute “a threshold voltage” with -- the threshold voltage --.

Re claim 43, line 6: Substitute “a selection terminal” with -- the selection terminal --.

Re claim 43, line 6: Substitute “a ground voltage” with – the ground voltage --.

Re claim 43, line 7: Substitute “a circuit” with – the circuit --.

Re claim 43, line 9: Substitute “a threshold voltage” with --the threshold voltage--.

Re claim 43, line 10: Substitute “a nonvolatile memory element” with – the nonvolatile memory element --.

Re claim 44, lines 4-5: Substitute “whose drain source was connected” with – having a drain source connected --, in order to clarify the claim.

Re claim 44, line 6: Substitute “a nonvolatile MOS transistor part” with -- the nonvolatile MOS transistor part --.

Re claim 44, line 8: Substitute “source drain” with -- drain source --.

Re claim 44, line 9: Insert -- the -- before “threshold voltage”.

Re claim 44, line 10: Substitute “this” with -- the --.

Re claim 46, line 10: Substitute “can stop” with -- stops --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 1-44 and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Re claim 1, line 5: The claim recites “the semiconductor chip of 1”, which is unclear to the examiner.

Re claim 1, lines 9-14: The claim recites “the interface controller has a plurality of interface control modes, as the interface control mode which controls an external-interface action, and a memory interface action to the memory, and controls the external-interface action and the memory interface action by a control mode according to an instruction from an outside”, which unclear to the examiner.

Re claim 1, line 14: The claim recites “an outside”, which is unclear to the examiner. Should it be “an outside source” or “an outside terminal”?

Re claim 1, lines 15-18: The claim recite “external connection terminals have an individual terminal individualized for every interface control mode, and a common terminal communalized for every interface control modes of a plurality of”, which is unclear to the examiner.

Re claim 2, lines 3-5: The claim recite “the multifunction card device has further a security controller which included a semiconductor chip a same as that of the interface controller, or another”, which is unclear to the examiner.

Claim 16 recites the limitation "the applied ferrite plate" in lines 3-4; and "the stuck ferrite film" in line 4. There is insufficient antecedent basis for these limitations in the claim.

Re claim 28, line 4-6: The claim recites "at least two level difference parts stopped by a socket are formed in a thickness direction of the package", which is unclear to the examiner.

Re claim 29, line 2: The claim recites "the two level difference parts", which is unclear to the examiner.

Re claim 31, line 5: The claim recites "a level difference part of a package", which is unclear to the examiner.

Claim 35 recites the limitation "the second external terminals" in line 4. There is insufficient antecedent basis for these limitations in the claim.

Re claim 36, line 11: The claim recites "an outside", which is unclear to the examiner. Should it be "an outside source" or "an outside terminal"?

Re claim 36, line 15: The claim recites "external connection terminals have an individual terminal individualized for every interface control mode, and a common terminal communalized for every interface control modes of a plurality of", which is unclear to the examiner.

Re claim 37, line 13: The claim recites "an outside", which is unclear to the examiner. Should it be "an outside source" or "an outside terminal"?

Re claim 39, line 13: The claim recites "an outside", which is unclear to the examiner. Should it be "an outside source" or "an outside terminal"?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishizawa et al (US 2001/0009505 A1), cited by the applicants.

Re claim 1: Nishizawa et al teaches a card device including:

a plurality of semiconductor chips mounted over a wiring substrate over which an external connection terminal (2) is formed, wherein a first semiconductor chip includes an interface controller (5) connected to the external connection (2) terminal, and a second semiconductor chip includes a memory (4) connected to the interface controller (5);

the interface controller (5) has a plurality of interface control modes, wherein the interface control mode controls an external interface action and a memory interface action by a control mode according to an instruction from an outside source;

external connection terminals (2) having an individual terminal including a data terminal; and a common terminal including a clock input terminal, a power supply terminal, and an earthing terminal. (See paragraphs 0104-0111)

Re claim 36: Nishizawa et al teaches a card device including:

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an external connection terminal (2); a controller (5) connected to the external connection terminal (2); and a memory (4) connected to the controller (5), over a wiring substrate;

wherein the controller (5) has a plurality of interface control modes, wherein the interface control mode controls an external interface action and a memory interface action by a control mode according to an instruction from an outside source;

external connection terminals (2) having an individual terminal including a data terminal; and a common terminal including a clock input terminal, a power supply terminal, and an earthing terminal. (See paragraphs 0104-0111)

Remarks

Since the claims are presented with numerous errors, the examiner conducted a search on the claimed invention as best understood by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fukuzumi (US 5,758,121); Hirota et al (US 6,606,707)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to APRIL A. TAYLOR whose telephone number is (571)272-2403. The examiner can normally be reached on Monday - Friday from 7:00AM - 3:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven S. Paik can be reached on (571) 272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thien M. Le/
Primary Examiner, Art Unit 2887

/AAT/
Examiner, AU 2887
February 1, 2010